

State of Kansas
Department of Health and Environment

Public Notice Concerning Kansas / Federal
Water Pollution Control Permits and Applications

State of Kansas
Department of Health and Environment
Division of Environment-Bureau of Water
1000 SW Jackson St., Suite 420
Topeka, Kansas 66612-1367
Telephone: (785) 296-6432 - Ag Permits
(785) 296-5517 - All Others

Public Notice No. KS-AG-17-224/231
KS-AG-R-17-024
KS-Q-17-132/137
KS-NQ-17-014

Beginning Date: October 19, 2017
Comments Due: November 18, 2017

In accordance with Kansas Administrative Regulations 28-16-57 through 63, 28-18-1 through 17, 28-18a-1 through 33, 28-16-150 through 154, 28-46-7, and the authority vested with the State by the administrator of the U.S. Environmental Protection Agency, various draft water pollution control documents (permits, notices to revoke and reissue, notices to terminate) have been prepared and/or permit applications have been received for discharges to waters of the United States and the state of Kansas for the class of discharges described below.

The proposed actions concerning the draft documents are based on staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the Environmental Protection Agency. The final action will result in a Federal National Pollutant Discharge Elimination System Authorization and/or a Kansas Water Pollution Control permit being issued, subject to certain conditions, revocation, and reissuance of the designated permit or termination of the designated permit.

Public Notice No. KS-AG-17-224

Application(s) for New or Expansion of Existing Swine Facilities

Name and Address of Applicant

Neal & Brenda Hammes
2143 J Road
Seneca, KS 66538

Owner of Property Where Facility Will Be Located

Neal & Brenda Hammes
2143 J Road
Seneca, KS 66538

Legal Description

SE/4 of Section 21
T02S, R12E
Nemaha County

Receiving Water

Missouri River Basin

Kansas Permit No.: A-MONM-S023

This is notification KDHE has received a complete permit application for the operation of a swine waste management facility capable of housing 2,040 head (816 animal units) of swine weighing more than 55 pounds each and 1,830 head (183 animal units) of swine weighing less than 55 pounds each totaling 999 animal units. The complete application can be viewed at the office of the Nemaha County Clerk, the KDHE District Office in Lawrence, Kansas or the KDHE Main Office in Topeka, KS. A permit to operate the proposed swine waste management system will not be

issued without additional public notice.

Public Notice No. KS-AG-17-225/231

Pending Permits for Confined Feeding Facilities

<u>Name And Address of Applicant</u>	<u>Legal Description</u>	<u>Receiving Water</u>
Irvin L. Yeager Yeager Feedlot P.O. Box 130 Dighton, KS 67839	E/2 of Section 18 T18S, R30W Lane County	Upper Arkansas River Basin

Kansas Permit No.: A-UALE-C005

Federal Permit No.: KS0098582

This is a renewal permit for an existing facility for 2,250 head (2,250 animal units) of cattle weighing more than 700 pounds and 1,500 head (750 animal units) of cattle weighing less than 700 pounds. This facility has an approved Nutrient Management Plan on file with KDHE.

Brett Jennings 803 1400 th Road Oberlin, KS 67749	SE/4 of Section 20 T04S, R28W Decatur County	Upper Republican River Basin
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Kansas Permit No.: A-URDC-B011

This is a renewal permit for an existing facility for 500 head (500 animal units) of cattle weighing greater than 700 pounds. 3.2 acres of open lots drain to a sediment basin and wastewater storage pond. There is no change in the permitted animal units from the last permit.

Art Pember Pember Feedyard 13495 100 Road Ness City, KS 67560 Kansas Permit No.: A-UANS-B001	SW/4 of Section 16 & SE/4 of Section 17 T20S, R24W Ness County	Upper Arkansas River Basin
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This permit is being reissued for an existing facility with a maximum capacity of 800 head (800 animal units) of cattle more than 700 pounds and 100 head (50 animal units) of cattle 700 pounds or less, for a total of 900 head (850 animal units) of cattle. There is no change in the permitted animal units from the previous permit cycle.

Darren Benfer & David Benfer Benfer Dairy 1032 4 th Road Longford, KS 67458	NW/4 of Section 22 T10S, R02E Clay County	Smoky Hill River Basin
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Kansas Permit No.: A-SHCY-M002

This permit is being reissued for an existing facility with a maximum capacity of 120 head (168 animal units) of mature dairy cattle. There is no change in the permitted animal units from the previous permit

cycle.

Marvin & Armin Scripter
3421 Mink Road
Abilene, KS 67410

SE/4 of Section 17
T11S, R03E
Dickinson County

Smoky Hill River Basin

Kansas Permit No.: A-SHDK-S016

This permit is being reissued for an existing facility with a maximum capacity of 177 head (70.8 animal units) of swine more than 55 pounds, 220 head (22 animal units) of swine 55 pounds or less, 70 head (70 animal units) of cattle more than 700 pounds, and 176 head (88 animal units) of cattle 700 pounds or less, and 5 head (10 animal units) of horses, for a total of 260.8 animal units. There is no change in the permitted animal units from the previous permit cycle.

Noble Wolf
Wolf Dairy
17790 NW Shumway
Burns, KS 66840

S/2 of Section 36
T22S, R04E
Marion County

Walnut River Basin

Kansas Permit No.: A-WAMN-M002

This permit is being reissued for an existing facility with a maximum capacity of 150 head (210 animal units) of mature dairy cattle and 40 head (20 animal units) dairy cattle 700 pounds or less, for a total of 230 animal units. This represents a decrease in permitted animal units from the previous permit cycle.

Syracuse Dairy, LLC
751 SE County Road 36
Syracuse, KS 67878

SE/4 of Section 25
T26S, R41W &
E/2 & NW/4 of Section 36
T26S, R41W &
SW/4 of Section 30
T26S, R40W &
NW/4 of Section 31
T26S, R40W

Cimarron River Basin

Kansas Permit No.: A-CIHM-D001

Federal Permit No.: KS0090638

An update to the Nutrient Management Plan (NMP) was received for this existing facility currently permitted for 9,000 head (12,600 animal units) of mature dairy cows and 3,000 head (3,000 animal units) of dairy heifers weighing greater than 700 pounds; totaling 15,600 animal units of dairy cattle. The facilities NMP was updated to include the addition of five (5) new land application fields. There are no changes to the permit or in the permitted number of animal units. Only the updated portions of the Nutrient Management Plan are subject to comment.

Public Notice No. KS-AG-R-17-024

Per Kansas Statutes Annotated 65-171d, the following Registration(s) have been received for proposed confined feeding facilities:

Name And Address of Registrant

Lynn E. Kramer
Kramer Dairy Inc.
1134 N Rd
Corning, KS 66417

Legal Description

SE/4 of Section 7 &
SW/4 of Section 8
T04S, R13E

County

Nemaha

Public Notice No.: KS-Q-17-132/137

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28 (b-g), and Federal Surface Water Criteria.

NAME AND ADDRESS OF APPLICANT

Alden, City of
PO Box 25
Alden, KS 67512

RECEIVING STREAM

Arkansas River

TYPE OF DISCHARGE

Treated Domestic
Wastewater

Kansas Permit No. M-AR02-OO01

Federal Permit No. KS0051641

Legal Description: SE¼, SE¼, SE¼, S9, T21S, R9W, Rice County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and pH, as well as monitoring for ammonia, E. coli, chlorides, and total phosphorus.

DeSoto, City of
PO Box C
DeSoto, KS 66018

Kansas River

Treated Domestic
Wastewater

Kansas Permit No. M-KS12-OO03

Federal Permit No. KS0098167

Legal Description: NE¼, SE¼, NW¼, S20, T12S, R22E, Johnson County, Kansas

Facility Name: DeSoto Wastewater Treatment Facility

Facility Location: 35415 W. 79th Street, DeSoto, KS 66018

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a mechanical wastewater treatment plant consisting of: Lift station, mechanical bar screen, extended aeration activated sludge (Aero-Mod) process (including biological nitrification, denitrification, and phosphorus removal), UV disinfection, aerobic sludge digester, and sludge belt filter press. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, pH, ammonia, and E.coli, as well as monitoring for total Kjeldahl nitrogen, nitrate + nitrite, total nitrogen, total phosphorus, and flow.

Futamura USA, Inc
6000 SE Second
Tecumseh, KS 66542

Kansas River

Treated Domestic
Wastewater

Kansas Permit No. I-KS72-PO09

Federal Permit No. KS0003204

Legal Description: SE¼, NW¼, S31, T11S, R17E, Shawnee County, KS

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility produces cellophane from wood pulp for use primarily in food packaging. The cellophane production process generates acid, alkaline, and neutral wastewater streams. The alkaline wastewater stream includes domestic waste flows from the administrative building and alkaline waste stream from the mix house, finishing, coating, casting, and viscose manufacturing areas (VMA). The acid waste stream includes acid waste process flows from the casting areas, boiler blowdown, and process flow from the power house which includes demineralizer and sodium softening regeneration liquors, sand filter backwash, and cooling tower blowdown. Neutral water flow from the evaporator barometric condenser is normally used for sludge dredging or diverted around waste treatment and commingled with the clarifier effluent in the outfall sewer. Steam condensate from other sources is also directed to the wastewater treatment system. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, E. coli, total residual chlorine, whole effluent toxicity, and pH, as well as monitoring for sulfate, total dissolved solids, ammonia, nitrate + nitrite, total Kjeldahl nitrogen, total phosphorus, carbon disulfide, priority pollutants, and flow. Contained in the permit is a schedule of compliance requiring the permittee to complete an approved dye test and provide documentation and calculations showing the actual mixing zone at the Kanas River Flow.

Geneseo, City of
PO Box 257
Geneseo, KS 67444

Little Arkansas River

Treated Domestic
Wastewater

Kansas Permit No. M-LA04-OO02

Federal Permit No. KS0098175

Legal Description: NE¼, SE¼, SE¼, S1, T18S, R8W, Rice County, KS

Facility Name: Geneseo Wastewater Treatment Facility

Facility Location: 171 19th Rd, Rice County, Kansas

The proposed action is to reissue an existing State/NPDES permit for an existing facility. The proposed permit contains limits for biochemical oxygen demand, total suspended solids, and E. coli, as well as monitoring for ammonia, chlorides, total phosphorus, selenium and arsenic.

Larkin Excavating, Inc
13575 E Gilman Rd
Leavenworth, KS 66048

Kansas River via
Stranger Creek via
Unnamed Tributary

Wastewater

Kansas Permit No. I-KS13-PO04

Federal Permit No. KS0099538

Legal Description: NW¼, S20, T8S, R21E, Leavenworth County, KS

Facility Name: Easton Quarry

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This facility is a limestone quarrying and crushing operation, with no rock washing. The permit contains generic language to protect waters of the state.

Mid-States Materials, LLC
Box 236
Topeka, KS 66601

Verdigris River via
Caney River via
Shrader Branch Creek

Wastewater

Kansas Permit No. I-VE19-PO01

Federal Permit No. KS0101168

Legal Description: NW¼, S10, T31S, R8E, Elk County, KS

Facility Name: Grand Summit Quarry

The proposed action is to reissue an existing State/NPDES permit for an existing facility. This is a limestone quarrying and crushing operation with some rock washing. The permit contains limits for total suspended solids.

Public Notice No. KS-NQ-17-014

The requirements of the draft permit public noticed below are pursuant to the Kansas Surface Water Quality Standards, K.A.R. 28-16-28(b-g).

<u>NAME AND ADDRESS OF APPLICANT</u>	<u>LEGAL LOCATION</u>	<u>TYPE OF DISCHARGE</u>
Albert, City of PO Box 10 Albert, KS 67511	NW¼, SW¼, NE¼, S29, T18S, R15W, Barton County, KS	Non-Overflowing

Kansas Permit No. M-UA01-NO01

Federal Tracking No. KSJ000288

This action consists of reissuing an existing Kansas Water Pollution Control Permit for an existing non-overflowing facility. The permittee has initiated a project to re-seal and rehabilitate both lagoon cells. A schedule of compliance requires all work to re-seal and rehabilitate both lagoon cells shall be completed no later than December 31, 2018.

NOTICE OF INTENT TO TERMINATE

Pursuant to the requirements of K.A.R. 28-16-60 and K.A.R. 28-16-62, the Kansas Department of Health and Environment (KDHE) hereby provides notice of intent to terminate the following KDHE-issued permits.

<u>PROJECT/FACILITY</u>	<u>PROJECT CITY</u>	<u>DOCUMENT NO.</u>
Midland Quarry Fly Ash Landfill	Atchison	S-MO01-0031
Line 69.95; Coal Cr. Tap to Tioga Rebuild	Chanute	S-NE11-0030
Cherryvale Track Expansion	Cherryvale	S-VE07-0009
2013 Water System Improvements	Cottonwood Falls	S-NE16-0011
Cairo Road, SE 130th Avenue to SE 150th Avenue	Cunningham	S-AR27-0008

Madison Avenue Central Park	Derby	S-AR29-0073
El Dorado Ind. Park Rail Spur	El Dorado	S-WA09-0044
FMC Fort Scott	Fort Scott	S-MC11-0036
Buckeye Wind Energy Project	Hays	S-SH16-0045
Haysville Family Med Center	Haysville	S-AR43-0024
ABBK - Phase 1 Site Grading & Biomass Road Construction	Hugoton	S-CI07-0018
Richard Munson Streambank Stabilization	Junction City	S-SH45-0049
Ryder Sales Facility	Kansas City	S-KS27-0152
Freeman Farms South	Kansas City	S-MO25-0004
School of Business - Relocated Tennis and Volleyball Courts	Lawrence	S-KS31-0283
Mission Corner	Leawood	S-MO27-0021
East Meadows Phase 2	Mount Hope	S-AR62-0002
2010 Water System Improvements and 75,000 Gallon Elevated Storage Tank	Muscotah	S-KS48-0008
River Trail Addition - Unit 2 and Block 72	Ogden	S-KS51-0012
Lakeside Estates	Ottawa	S-MC31-0023
Ottawa Recreation Center	Ottawa	S-MC31-0061
Highlands Village Bicycle & Pedestrian Trail Project	Overland Park	S-KS55-0247
CVS/Pharmacy #5271	Overland Park	S-MO28-0207
Kiddi Kollege	Overland Park	S-MO28-0233
Gracious Senior Living	Overland Park	S-MO28-0293
Echo Hills Commercial	Park City	S-AR69-0017
Kansas Gas Service - Parsons Warehouse Facility	Parsons	S-NE55-0042
Jenkins Property Dam Improvement	Perry	S-KS58-0006
Exide Technologies Soil Remediation	Salina	S-SA20-0046
Riffel Addition No. 2	Salina	S-SH33-0090
U040-100 KA-3196-01	Sharon Springs	S-SH35-0007
Riverview Hills Addition	St George	S-KS66-0006
Kitzmiller Wetland Development	St. John	S-AR77-0003
Hanrahan South Subdivision	Topeka	S-KS72-0283
Dredging Solids Settling Basin	Topeka	S-KS72-0423
King's Court Addition	Wichita	S-AR94-0576

Proposed Action: The Kansas Department of Health and Environment (KDHE) issued Authorizations for stormwater discharges under of the Construction Stormwater General Permit for the above named projects. K.S.A. 65-166a requires the Secretary of KDHE to assess appropriate annual fees for Authorizations/Permits issued by the Department and provides that failure to pay the annual fee shall be cause for revocation/termination of the Authorization/Permit. The authorized entities named above have failed to comply with the requirement to pay the annual fee. Further, according to K.A.R. 28-16-62(f)-(g), the director has discretion to initiate termination of a permit. Therefore, pursuant to K.S.A. 65-166a, K.A.R. 28-16-60 and K.A.R. 28-16-62, KDHE is hereby providing notice of intent to terminate the Authorizations associated with the projects named herein. The entity may re-instate the Authorization by paying the appropriate annual fees. If you have any questions regarding the termination of your permit, please contact the Stormwater Coordinator.

Persons wishing to comment on or object to the draft documents and/or permit applications must submit their comments in writing to the Kansas Department of Health and Environment if they wish to have the comments or objections considered in the decision making process. Comments or objections should be submitted to the attention of Livestock Waste Management Section for agricultural related draft documents or applications, or to the permit clerk for all other permits, at the Kansas Department of Health and Environment, Division of Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas 66612-1367.

All comments regarding the draft documents or application notices received on or before **November 18, 2017**, will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate Kansas document number (KS-AG-17-224/231, KS-AG-R-17-024, KS-Q-17-132/137, KS-NQ-17-014) and name of the applicant/permittee when preparing comments.

After review of any comments received during the public notice period, the Secretary of Health and Environment will issue a determination regarding final agency action on each draft document/ application.

If response to any draft document / application indicates significant public interest, a public hearing may be held in conformance with K.A.R. 28-16-61 (28-46-21 for UIC).

All draft documents / application and the supporting information including any comments received are on file and may be inspected at the offices of the Kansas Department of Health and Environment, Bureau of Water, 1000 SW Jackson St., Suite 420, Topeka, Kansas. These documents are available upon request at the copying cost assessed by KDHE. Application information and components of plans and specifications for all new and expanding swine facilities are available on the Internet at <http://www.kdheks.gov/feedlots>. Division of Environment offices are open from 8 a.m. to 5 p.m., Monday through Friday, excluding holidays.